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Attorneys for Defendant
ISIS AGORA LOVECRUFT

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

PETER TODD, an individual,

Plaintiff,

vs.

SARAH MICHELLE REICHWEIN aka ISIS
AGORA LOVECRUFT, an individual,

Defendant.

Case No.: 4:19-cv-01751-DMR

**DECLARATION OF BEN ROSENFELD
IN SUPPORT OF REQUEST TO APPEAR
TELEPHONICALLY FOR HEARING ON
AUGUST 22, 2019**

I, Ben Rosenfeld, hereby declare:

1. I am an individual, over the age of 18, and co-counsel for Defendant Isis Agora Lovecraft in the above-entitled action. I am co-counsel for Defendant in the above-captioned case. If called as a witness, I could and would testify competently as follows.

2. Pending before the Court is Defendant Isis Lovecraft's Special Motion to Strike Plaintiff's Complaint (anti-SLAPP Motion), set to be heard on August 22, 2019 at 1:00 am. The

1 Court has also rescheduled the initial Case Management Conference in this matter for the same
2 time. I am requesting to appear telephonically for this hearing.

3 3. I am making this request because I am, and will be, traveling out of state on
4 August 22, 2019, on a long scheduled trip. Because Defendant's lead counsel (my co-counsel)
5 will principally argue this Motion, my personal appearance is not needed in order to have an
6 effective hearing or conference.

7 4. AT 9:10 am this morning (Pacific Coast Time) I emailed counsel for Plaintiff to
8 inquire whether they had any objection to my appearing telephonically. However, as of the time
9 of this filing, I have not heard back. Because I currently have limited computer and internet
10 access while traveling, and the Courtroom Deputy directed me to e-file this request as soon as
11 possible, and am filing this request now rather than waiting longer to hear back from opposing
12 counsel. Again, however, the hearing will be attended in person by Defendant's lead counsel
13 in the case.

14 5. I apologize for my oversight in not familiarizing myself with the Court's
15 procedure regarding this request, and making it sooner.

16 6. A proposed order accompanies this request.

17 7. I swear under penalty of perjury that the foregoing is true and correct, except as
18 to any information stated on information and belief, and as to such information, I believe that it
19 is true.

20 Sworn and subscribed to at Albany, New York:

21
22 Respectfully Requested,

23 Dated: August 19, 2019

24 By: /s/ Ben Rosenfeld
25 Ben Rosenfeld

26 Attorney for Defendant
27 ISIS LOVECRUFT